

NOV 14 2005

PTO/SB/64 (10-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

RDH-0319

First named inventor: Simon R. Kelemen

Application No.: 10/721,958 [810021]

Art Unit: 2856

Filed: November 25, 2003

Examiner: David A. Rogers

Title: SYSTEM AND METHOD FOR DETERMINING FOULING TENDENCY BY REFINERY FEED STOCKS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of Notice of Appeal (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NOV 14 2005

PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


3. Terminal disclaimer with disclaimer fee


☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.


 Signature


 Date

PAUL E. PURWIN

Typed or printed name

29,203

Registration Number, if applicable

ExxonMobil Research and Engineering Company

Address

908-730-3618

Telephone Number

P.O. Box 900, Annandale, New Jersey 08801-0900

Address

Enclosures: ☒ Fee Payment - Commissioner is authorized to charge Deposit Account No. 05-1330.☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.November 14, 2005
Date

 Signature
 JOANNE WOLTERS

Typed or printed name of person signing certificate

NOV 14 2005

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Simon R. Kclemen, et al.

U. S. Serial Number: 10/721,958

Filed: November 25, 2003

For: SYSTEM AND METHOD FOR
DETERMINING FOULING TENDENCY BY
REFINERY FEED STOCKS) Before the Examiner
) David A. Rogers
)
) Confirmation Number: 5905
)
) Group Art Unit: 2856
)
) Family Number: P2002J029-US3
)
)Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
Commissioner for Patents facsimile number 571-273-8300 on the date shown below.

JOANNE WOLTERS

Type or print name of person signing certification

Signature

Date

Sir:

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

Applicant petitions the Commissioner to revive the above-referenced
patent application.

The entire delay in filing the required reply from the due date for the
reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b)(3) was
unintentional.



27810

PATENT TRADEMARK OFFICE

U.S. Serial Number: 10/721,958
Reply to Office Action of: 10/25/05
Family Number: P20021029-US3

Page 2 of 2

The application was under final rejection and a Notice of Appeal is submitted herewith as the reply to the outstanding office action.

The petition fee and the fee for the Notice of Appeal is also enclosed herewith.

Respectfully submitted,



Ronald D. Hantman
Attorney for Applicant(s)
Registration No. 27,796
Telephone Number: (908) 730-2534
Facsimile Number: (908) 730-3649

☐ Pursuant to 37 CFR 1.34(a)

ExxonMobil Research and Engineering Company
P. O. Box 900
Annandale, New Jersey 08801-0900

RDH:jmw
11/7/05